Statement on J & K in House of Commons

495. SHRI SURESH KALMADI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the Under Secretary of Foreign and Commonwealth Affairs of United Kingdom had recently made a statement on Jammu and Kashmir in the House of Commons; and

(b) if so, the details thereof and Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI EDUARDO FALEIRO): (a) The Parliamentary Secretary for Foreign and Commonwealth Affairs of the UK, Mr. Mark Lennox-Boyd had made a statement on Kashmir in the course of a a debate in the House of Commons on "Pakistan and Kashmir" on 25th July 1991.

(b) The text of the statement is laid on the Table of the House, Government appreciates the balanced statement of Mr. Lennox-Boyd which reflects the UK Government's consistent position on the Kashmir issue.

Statement

"I note carefully what my hon. Friend said about Kashmir. We share his concern, that of the House and many other people in this country about the situation in Kashmir, not least the tension that it has caused between India and Pakistan, both good friends of Britain, and concerns that have been expressed about human rights.

I assure the House that, far from sitting on the fence and ignoring the problems of Kashmir, we have been active in encouraging India and Pakistan to find a peaceful solution to the dispute. Both sides have appreciated our efforts. We welcome, in particular, efforts being made by India and Pakistan to reduce tension and reach agreement on various confidence-building measures through a series of regular talks between their senior foreign affairs officials. That is a process which earnestly encouraged both sides to pursue in spring 1990. Both bilaterally and with our European Community partners, we have reiterated our concerns about tension between India and Pakistan, about the activities of terrorist groups and those who support them and about human rights abuses.

We are aware of Indian claims, and Pakistani denials, that Kashmiri extremists are receiving support from Pakistan with training and supply of weapons. We have indicated to the Pakistan Government the concern that it would cause in Britain if official support were to be given.

My hon. Friend referred to some of the historical background to the Kashmir problem and to the United Nations resolutions on Kashmir in 1948 and 1949. Those resolutions, which were agreed to by India and Pakistan and supported by Britain, envisaged troop withdrawals on both sides and a plebiscite under United Nations auspices of all the inhabitants of the former princely state of Jammu and Kashmir on whether to accede to India or Pakistan, non-implementation of the resolutions was due, at least partly, to the failure of both sides to implement the provision on troop withdrawals.

Pakistan maintains that the status of Kashmir can be decided only by a plebiscite in line with United Nations resolutions. We believe that it is for India and Pakistan to decide how to resolve their dispute over Kashmir, one element of which involves disagreement over whether Kashmiries have been able to express their wishes fully already, or whether a further test of opinion should be held. It is not for us to attempt to prescribe how the problem should be resolved, but the difficulties of holding the plebiscite envisaged in the United Nations resolutions are obvious. The fact is that the former princely state of Jammu and Kashmir is now, in effect, split into several district parts. It has

been divided *de fecto* between India and Pakistan by the line of control and another part has been ceded to China.

India argues that the 1947 accession of the former princely state to India was legal, that ratification of the accession in 1954 by the constituent assembly fulfilled its commitment to a test of popular opinion and that Pakistan had failed to implement the basic provision of a complete withdrawal of forces.

Our position on the status of Kashmir remains that this should be settled by peaceful agreement between India and Pakistan, in accordance with their agreement in 1972 at Simla under which both countries "resolved to settle their differences through bilateral negotiations or by any other peaceful means mutually agreed between them". This agreement also looked forward to a "final settlement of Jammu and Kashmir".

I welcome the terms in which my hon. Friend raised the problem of the continuing violence in Kashmir. We share the widespread concern about this. We have consistently condemned those who use violence for political ends, and we support the Indian Government in their efforts to deal with the serious challenge from terrorist violence in Kashmir. At the same time, we continue to encourage the Indian Government to exercise the greatest restraint in dealing with the serious problems facing them. The Maintenance of law and order in the face of violent challenge from certain Kashmiri extremist groups is clearly difficult. Abuses have certainly occurred on both sides. I assure the House that, in our contacts with the Indian Government, we have made clear the importance that we attach to human rights being respected.

We have emphasised the importance of allowing independent investigations by human rights organisations, such as Amnesty International, and of being seen to bring to justice members of the security forces who may have misbehaved. The Indian Government have told us that allegations of abuses are thoroughly investigated, that they are concerned to bring to book those responsible for wrongdoing and that action has already been taken against a number of security force personnel.

I assure the House that we will continue to watch the situation in Kashmir closely and to encourage India and Pakistan to find a peaceful solution to this dispute. We remain ready to help, if both sides would like us to do so. We hope that the process of confidence-building between India and Pakistan will continue and that this will help to create the right conditions to bring an end to the violence and lead to a lasting settlement of a dispute which threatens political stability in India and Pakistan and has blighted the lives of many in the sub-continent.

दिल्ली और चंडीगढ़ में विदेशी लोग

496. **श्री रणजीत सिंह**

डा० जिनेन्द्र कुमार जैन

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली और चंडीगढ़ में बड़ी संख्या में विदेशी लोग अवैध रूप से प्रवेश कर रहे हैं और रह रहे हैं ;

(ख) इनकी संख्या कितनी है और इन शहरों में वे कब से रह रहे हैं ;

(ग) पिछले तीन वर्षों के दौरान सरकार द्वारा इन्हें अपने-अपने देशों में भेजने के लिए क्या कार्यवाही की गई है ;

(घ) अब तक कितने व्यक्तियों को उनके देशों में वापस भेजा जा चुका है ;

(ङ) क्या सरकार इन लोगों को अपने-अपने देशों में वापस भेजने के लिए